

AIR TRANSPORT ASSOCIATION

DEPT. OF TRANSPORTATION
02 DEC 27 11:30:00

December 27, 2002

FAA-02-13378-3561

James W. Whitlow
Deputy Chief Counsel
Office of the Chief Counsel, AGC-2
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Re: Notice of proposed rulemaking (NPRM), Reports by Carriers
on Incidents Involving Animals During Air Transport
Docket No.FAA-2002-13378: Notice 02-14

Dear Mr. Whitlow:

I write on behalf of the members of the Air Transport Association of America, Inc. (ATA)¹ to comment and respond to the Notice of Proposed Rulemaking (NPRM), Reports by Carriers on Incidents Involving Animals During Air Transport; Docket No.FAA-2002-13378; Notice 02-14.

The NPRM, published in the *Federal Register*, September 27, 2002 (Volume 67, Number 188), proposes an amendment to 14 CFR § 119 to implement Section 710 the Wendell H. Ford Aviation Investment Act for the 21st Century (Air-21). The proposed § 119.72 would require air carriers that provide scheduled passenger air transportation to submit monthly reports to the Secretary of Transportation, through the Animal and Plant Health Inspection Service (APHIS), United States Department of Agriculture (USDA), on any incidents involving the loss, injury or death of an animal during air transport provided by the air carrier.

Although on its face the NPRM appears straightforward and relatively uncomplicated, it does, in fact, raise significant operational and systems management issues. Your granting of an extension to the comment period has provided additional time to analyze and consider your proposals.

The consolidated comments of the members of the Air Transport Association of America that carry animals on passenger aircraft, that are checked in at passenger terminals at airports are located in the attachment following this letter.

Thank you for allowing us additional time to consider your proposals.

¹ATA's members are: Airborne Express, Alaska Airlines, Aloha Airlines, America West Airlines, American Airlines, American Trans Air, Atlas Air, Continental Airlines, Delta Air Lines, DHL Airways, Emery Worldwide, Evergreen International, Federal Express, Hawaiian Airlines, JetBlue, Midwest Express, Northwest Airlines, Polar Air Cargo, Southwest Airlines, United Airlines, United Parcel Service, and US Airways. ATA's associate members are Aeromexico, Air Canada, Air Jamaica, KLM--Royal Dutch Airlines, and Mexicana Airlines.

Page 2.
Letter to James W. Whitlow
Deputy Chief Counsel, FAA

The purpose of section 41721 is sincerely endorsed by the members of the Air Transport Association of America that carry pet animals on passenger aircraft and our comments are presented to assure that a rational final rule evolves.

Sincerely,

A handwritten signature in black ink, appearing to read "FJ Black", with a long horizontal flourish extending to the right.

Frank J. Black
Director, Cargo Services
Facilitator, Live Animal Task Force

Cc: James L. Casey, Vice President & Deputy General Counsel, ATA
Live Animal Task Force, ATA
DOT-FAA Dockets

**COMMENTS
OF
Air Transport Association of America, Inc.**

Section 41721 - Background

In 1999, and based on a complaint to members of the Senate and House started by a person whose dog escaped (chewing its way out) its kennel while in flight. When the doors of the airplane were opened the dog escaped and was lost in the Newark Airport (EWR) area for a period of time. The dog "Boris" was later located and reunited with its owner. The air carrier was neither fined nor cited by the USDA, because the air carrier followed all of the rules applied by the USDA in transporting and handling of the dog.

The Safe Air Travel for Animals Act (SATAA) was introduced in the Senate and the House. 106th Congress, 1st Session, S.1193 and H.R.2776. SATAA contained a reporting requirement as well as contract of carriage requirements and enforcement provisions. SATAA would have amended the Animal Welfare Act to include a requirement that "an airline carrier that causes, or is otherwise involved in or associated with, an incident involving the loss, injury or mishandling of an animal during air transport" shall file a report with the Departments of Agriculture and Transportation. The term "animal" would be as defined in the Animal Welfare Act. The report would be limited to date, time, location, probable cause and remedial action. No time limits were imposed on the filing of such reports. The SATAA never was considered by the full Congress.

Nevertheless, similar legislation was eventually included in AIR 21 and which went to Conference in March 2000. The Senate had proposed an amendment substantially similar to SATAA. The Conference Committee favored a middle ground:

"The managers heard from animal rights activists and citizens who use airlines to transport animals. They have sharply differing views over the extent of the problem and the appropriate remedy. Accordingly, the Conference Report modifies the Senate provision to ensure that airlines will continue to be able to carry animals while information is collected to determine whether there is a problem that warrants stronger legislative remedies."

House Report 106-513 (March 8, 2000). This middle ground rejected a broad definition of "animal" and focused on purposeful information gathering.

Unfortunately, the magnitude of the problem of death, loss or injury has suffered from incorrect information. Some critics have relentlessly publicized that as many as 5,000 animals transported by air are lost, injured or killed each year. This figure was derived by projecting –erroneously— from a decade-old press piece by the Air Transport Association. The statement is quoted below:

"The airlines have an excellent record in transporting pets, which they consider an important part of their business. More than 99% of the estimated 500,000 dogs and cats that the airlines handle each year reach their destination in good health and without any problems."

Critics inferred that one percent, or 5,000 dogs and cats were injured, lost or died during air transportation. The statement does not support such an inference.

We emphasize that the “**Without any problems**”, in the context of this statement, meant just that. It clearly did not mean that “problems” associated with such transportation inevitably meant death, loss or injury to an animal. For example, that the dog or cat was refused air transportation because of the lack of a health certificate (USDA Title 9); the animal could not be accepted by the airline because the kennel enclosure was an improper dimension for the size of the particular animal (USDA Title 9); the animal was not accepted because it appeared to be ill (USDA Title 9) or the animal could not be accepted until a water bowl could be obtained to accompany the animal (USDA Title 9).

More importantly, we know of no evidence that supports the claim that there is a high incidence of mortality, injury or loss of animals. Neither private organizations; government entities nor airline experience indicates that. We have gone to considerable lengths to explore claims of widespread problems.

One of the chief proponents of the 5,000 injured, lost or dead dogs and cats figure was the American Society for the Prevention of Cruelty to Animals (ASPCA) of New York. By invitation, members of the ASPCA attended a meeting at the Air Transport Association on June 28, 2000. Also represented at the meeting was the Deputy Administrator of USDA-APHIS-Animal Care, a staff officer of USDA-APHIS-Animal Care, the Federal Liaison of the American Kennel Club (AKC), the Veterinary Director of the American Veterinary Medical Association’s Government Affairs Division (AVMA), the Legislative Director of the Pet Industry Joint Advisory Council (PIJAC).

The ASPCA representatives were advised that the airlines were exceptionally concerned that the ASPCA had knowledge of large numbers of dogs and cats that were being injured, lost or died during air transportation. The ATA airlines were not aware of this, the USDA-APHIS-Animal Care was not aware of this, the American Kennel Club (AKC) was not aware of this, the Cat Fanciers Association was not aware of this, the Pet Industry Joint Advisory Council (PIJAC) was not aware of this and the American Veterinary Medical Association was not aware of this.

The ASPCA was represented by the Sr. Vice President, Government Affairs, New York City, NY and the Director, National Legislative Office, Washington, DC. The Director of the ASPCA’s National Legislative Office produced a white paper that contained approximately nine incidences. The Director of the ASPCA’s National Legislative office admitted that much of the ASPCA’s information was obtained from reports telephoned into the ASPCA. Further, it was indicated that the ASPCA had only anecdotal information and did not have dates, times, locations and full details. No other evidence was produced or offered by ASPCA representatives.

In response to a request of the Journal of Commerce in mid December 2002, Michael Wascom, Vice-President Communications for the Air Transport Association made the following statement. *It places into perspective our overall commitment to the safe transportation of animals and our concerns about the proposed rule:*

“This issue has been way overblown and the pending FAA rule could likely cause some carriers to stop carrying pets altogether, despite the convenience that this service offers to customers. The proposed rule was poorly drafted and, instead of applying only to dogs and cats as originally intended, includes all animals. There was also no opportunity for input from organizations like the American Kennel Club, Cat Fanciers Association or Pet Industry Joint Advisory Council (PIJAC) whose members are greatly impacted by these proposed reporting rules. Many airlines are struggling for their financial survival and would have no choice but to forego carrying pets in an effort to maximize revenue while reducing the cost of burdensome federal regulations. This outcome would be most unfortunate, particularly since millions of animals travel safely aboard aircraft every year despite assertions to the contrary.

Although airline personnel make every effort to handle these animals with the care they deserve, on the rare occasion when the death of a dog or cat occurs, the industry does not object to reporting the incident. But, should we also be expected to open up every box of pet boa constrictors to see if they're all alive? It's a physical impossibility. Ultimately, if consumers would simply follow the guidelines established by the airlines and the USDA, problems would be minimal and we probably would not even be debating this topic."

Convention on International Trade in Endangered Species (CITES) **Mortality of Animals Conclusion**

In the conclusion of the Convention on International Trade in Endangered Species (CITES) report¹ of the Twelfth meeting of the Conference of the Parties Santiago (Chile), 3-15 November 2002 the section on the mortality of animals it states:

"Since 1995, efforts have been made to determine and monitor the incidence and impact of transport-related mortality in CITES-listed species, which were initially hampered by a lack of reporting by Parties. Submission of data report forms has improved in recent years. An analysis of the information that was collected through mortality reporting forms between 1999 and 2001 indicates that for animals of selected CITES-listed species that are shipped by air, the overall transport related mortality appears to be low to very low. The Secretariat is aware of several other studies on transport-related mortality in animals that show similar results, suggesting that dead-on-arrival rates are generally low, with the exception of a few isolated, and occasionally high-profile cases. Rather than continuing to request Parties to submit mortality reporting forms and tasking the Animals Committee and the Secretariat with further review of this information, the Secretariat recommends that the focus be on other elements of Resolution Conf. 10.21" (Emphasis added)

This mortality is at such a low level by air transport that CITES recommends focusing on other elements of the trade in endangered species rather than continuing to request parties to submit mortality reporting forms.

The American Veterinary Medical Association Study Group

In December 2000, USDA-APHIS authorized a third-party study of the transportation of animals by air. USDA-APHIS invited the American Veterinary Medical Association (AVMA) to undertake the study. Three months ago, the AVMA Animal Air Transportation Study Group issued its report. The Study Group's investigation "revealed general due diligence by those airlines visited for the transport of dogs and cats, providing the animals' owners and the public a significant degree of comfort, confidence and reliability." The AVMA Study Group Report².

As the foregoing indicates, the common judgement of leading authorities is that the incidence of injury, loss or death is extremely low.

Proposed Revisions to the Rule

The Definition of "Animal"

The NPRM defines "animal" as "any warm or cold-blooded animal which, at the time of transportation, is being kept as a pet in a family household in the United States, or is being transported for the purposes of being sold as a pet in a family household in the United States." This is narrower than the definition in the Animal Welfare Act and regulations to the extent that it is limited to pets.

¹/ Convention on International Trade in Endangered Species (CITES) Report of the Twelfth meeting of the Conference of the Parties Santiago (Chile), 3-15 November 2002 is attached.

²/A Report from the American Veterinary Medical Association Animal Air Transportation Study Group is attached.

However, it is broader to the extent that it includes cold-blooded animals and birds. 7 U.S.C. § 2132(g) and 9 C.F.R. § 1.1. Birds and reptiles are not regulated by USDA, however, the US Fish and Wildlife Service regulates these animals under 50 CFR Part 14, Subpart J. Fish and Wildlife Service has no role in this rulemaking.

The AVMA Study Group, in the report described above, limited its investigation to dogs and cats, and that is a fair and appropriate description of the types of animals intended to be reached by the Section 41721 reporting requirements. These are the majority of animals that are “checked in” at airport passenger terminals on passenger carrying airlines and they are “pet” animals.

Reporting Requirements

Section 41721 requires the reporting of all “incidents,” but the term “incidents” is not defined. This omission is a critical short coming. Regulated parties need a common, unmistakable understanding of what triggers the reporting requirement. The initiation of a report should be the within the same type of measurement that applies in other aviation consumer protection reporting, i.e., the filing of a complaint with the air carrier. This is a commonly understood objective measure from the carrier’s standpoint. (Obviously, there will be considerable subjectivity in the consumer’s initiation of a complaint. In other words, if the passenger does not feel that the matter is serious enough to warrant a complaint to the carrier, it should not be reported to the government.¹

The NPRM proposes that the monthly report “describe the cause of the incident.” That in itself is a very difficult task. When a complaint is made to an airline about the transportation of an animal, normally the air carrier begins an investigation. The filing of a complaint by a passenger, of course, does not mean that the carrier was responsible, or acknowledges responsibility, for the incident. If the animal dies or is injured while in the airlines custody, most air carriers will ask for permission to have the animal examined or necropsy is performed by a veterinarian at the airline’s expense. If permission is refused, the company has no way to make even a preliminary determination with respect to causation. A report cannot be filed until after there is a determination of causation; and a determination of causation is relevant only if the incident could have been prevented by the carrier.

The AVMA Study Group recognized that “a reportable incident is the death, injury, or escape of an animal while in the physical custody of the carrier, which after investigation, is proven to be the result of a preventable action by the carrier.” (Emphasis added) Such a methodology is reasonable and is followed in the revised Section 119.72 in the attachment.

The AVMA Study Group also recognized a non-reportable incident and described it as follows:

A non-reportable incident may include but is not limited to:

- Sedation, tranquilization, or medication of the animal
- Death, injury or escape of the animal as a result of the animal’s own actions
- Death, injury or escape of the animal after the animal has been released to the consignee or is otherwise not in the physical custody of the carrier

Proposed Revisions to the Rule (continued)

- Known or unknown illness or other physical or mental condition of the animal
- An unknown defect in the animal container that was not apparent to the shipper or carrier at the time of acceptance.

These non-reportability criteria should be reflected in the proposed rule. The NPRM also would require a “narrative description of any corrective action taken in response to the incident.” As with causation, if this is retained it should be with the realization that the information cannot be provided until after there is a determination of causation.

Proposed section 119.72 (b) also would require in subparagraph (3) the name of the animal, in subparagraph (4) the names of the owner and/or guardian of the animal and in subparagraph (8) the name, title, address and telephone number of the carrier employee or agent filing the report. None of this personal information is required by Section 41721. Subparagraphs (3) and (4) violate the privacy of the owner and shipper of the animal. Subparagraph (8) would violate the privacy of the carrier employee submitting the report and subject that person to possible harassment. These items must be eliminated.

In § 119.72 (c) the NPRM states: For the purposes of this section:

- (1) The air transport of an animal includes the entire period during which an animal is in the custody of an air carrier, from check-in of the animal prior to departure until the animal is returned to the owner or guardian of the animal at the final destination of the animal.

It needs to be pointed out that during transportation there can be unusual circumstances and occurrences. A dog or a cat arriving via airline to a West Coast location for transport from the US to a destination on the other side of the Pacific Ocean is usually held overnight at a private kennel facility, prior to the long haul journey. During this time the animal is not in the custody of the carrier. Should an extreme weather situation occur in a particular area and flights are cancelled or delayed indefinitely, animals are placed in private kennels until the animal’s journey can be continued. During this time the animal is not in the custody of the carrier and therefore section 119.72 (c) should not apply to such a situation.

Scope

Section 41721 and the NPRM apply only to U.S. scheduled passenger air carriers. They do not apply to foreign air carriers or to U.S. or all cargo carriers. Fairness suggests that the scope of the reporting requirement also be limited to domestic air transportation in scheduled passenger service.

For example, certain ATA member carriers have extensive international scheduled passenger service. Some of these airlines may also operate all-cargo service in various markets with freighter aircraft. If the proposed rule is applied too broadly, these airlines would be required to report any “incident” anywhere in the world on any of their aircraft.

¹ The Senate amendment modified by the Conference Committee focused on “consumer complaints involving animals.” House Report 106-513 (emphasis added).

Proposed Revisions to the Rule (continued)

At the same time, the ATA airline's non-U.S. competitors and all-cargo competitors would not be subject to any reporting requirement. The fairest way to address this competitive inequity is to limit the scope of the reports to "incidents" occurring in connection with domestic scheduled passenger flights. That was the focus of Congressional interest.

The recommended revisions discussed above and set forth in the attachment would conform the effect of the proposed regulation with its intent to promote the safe transportation of pets.

Attachment - A

ATA Proposed
Revised Section 119.72

119.72 Reports by air carriers on incidents involving animals during air transport.

119.72 Reports by air carriers on incidents involving animals during air transport.

- (a) Any air carrier that provides scheduled passenger air transportation shall, within 15 days of the end of the first month in which the information required below becomes available, submit to the Animal and Plant Health Inspection Service, United States Department of Agriculture, a report on any incidents involving the loss, injury, or death of an animal during air transport provided by the air carrier.
- (b) The report shall be made in the form and manner set forth in reporting directives issued by the USDA Animal and Plant Health Inspection Service, and shall contain the following information:
 - (1) Carrier and flight number;
 - (2) Estimated date and time of the incident;
 - (3) Narrative description of the incident;
 - (4) Narrative description of the cause of the incident; and
 - (5) Narrative description of any corrective action taken in response to the incident.
- (c) For the purposes of this section:
 - (1) The air transport of an animal includes the entire period during which an animal is in the custody of an air carrier, from check in of the animal, at airport passenger terminal, prior to departure, on passenger carrying airline, until the animal is returned to the owner or person designated to pick up the animal at the final destination of the animal; and
 - (2) Animal means any dog or cat which, at the time of air transportation, is being kept as a pet in a family household in the United States or any pet animal that is being "checked in" at an airport passenger terminal on a passenger carrying airline;
 - (3) Incident means a complaint about the death, injury or escape of an animal filed with an air carrier by an accompanying passenger or shipper and which, after investigation, the death, injury, or escape of an animal is proven to be the result of a preventable action by the air carrier, which the air carrier was responsible for undertaking; and
 - (4) Air transport means intrastate or interstate scheduled passenger air transportation. It does not include incidents occurring in international air transportation or on all-cargo flights.

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

Twelfth meeting of the Conference of the Parties Santiago (Chile), 3-15 November 2002
Interpretation and implementation of the Convention
Regular and special reports

TRANSPORT OF LIVE ANIMALS

1. This document has been prepared by the Secretariat.
2. The Secretariat is directed in Resolution Conf. 10.21, under the third DIRECTS with the following, "in consultation with the Animals and Standing Committees, to monitor the implementation of these recommendations and of other aspects of this Resolution and report its findings and recommendations at each meeting of the Conference of the Parties".
The present document is the report required by the Resolution, and is largely based on the activities of the Animals Committee and its Transport Working Group, which, as has been the practice for the past few years, has taken the lead on matters related to the implementation of Resolution Conf. 10.21.
The Secretariat wishes to thank the Animals Committee, and its Transport Working Group in particular, for their contributions in this regard.

CITES Guidelines for transport and preparation for shipment of live wild animals and plants and the IATA Live Animals Regulations

3. The CITES Guidelines for transport and preparation for shipment of live wild animals and plants are widely recognized to be out of date, and often not readily available to Management Authorities or the public. According to Resolution Conf. 10.21, under RECOMMENDS, paragraph d), these guidelines should nevertheless be complied with, despite the parallel development of the IATA Live Animals Regulations for air transport.

The Animals Committee conducted an assessment of the feasibility of updating the CITES Guidelines for transport and preparation for shipment of live wild animals and plants, but concluded that available resources should rather be used to support the further development and updating of the IATA Live Animals Regulations. The Committee believes that the IATA Live Animals Regulations are the appropriate guidelines for almost all cases of live transport, and that as these regulations are continuously reviewed and improved they can be adapted to accommodate any specific need concerning CITES-listed species. IATA has welcomed input from the Committee in this regard, and good working relations have been maintained.

4. The Secretariat has not recently been made aware of major shortcomings in the IATA Live Animals Regulations for the transport of CITES-listed species by air or any other form of transport. Similarly, no problems have been reported with the application of the CITES Guidelines for transport and preparation for shipment of live wild animals and plants, possibly because the great majority of shipments of live animals are transported by air. The Animals Committee has advised the Secretariat that an assessment of the appropriateness of the IATA Live Animals Regulations for forms of transport other than air would require specialist expertise in the field of live animal transport that may have to be sought outside the Committee.
5. The Secretariat, in view of the apparent low incidence of problems concerning guidelines and regulations for transport in live animal specimens, is of the opinion that further work on the updating of the CITES Guidelines for transport and preparation for shipment of live wild animals and plants can not be justified at present, and that it may not be worth redistributing the Guidelines in their current form. The Secretariat welcomes, however, the undertaking by the Animals Committee to prepare additional recommendations regarding transport by road, rail or ship, to supplement the IATA Live Animals Regulations where necessary.

Monitoring of mortalities during transport

6. Through Notification to the Parties No. 848 of 18 April 1995, the Secretariat requested the Parties to provide data on mortality of live specimens during transport in a standardized form, as recommended in Resolution Conf. 9.23 (now replaced by Resolution Conf. 10.21, which similarly urges Parties to maintain and report information on the number of live specimens per shipment and of mortalities in transport of species listed in the Appendices). However, the limited number of responses did not allow a meaningful evaluation of the information received.

The Transport Working Group of the Animals Committee therefore decided to concentrate on a limited number of species (*Chlorocebus aethiops*, *Macaca fascicularis*, *Saimiri sciureus*, *Amazona amazonica*, *Eos borneo*, *Psittacus erithacus*, Trochilidae spp., *Chamaeleo senegalensis*, *Python sebae*, *Testudo horsfieldii*, *Dendrobates pumilio* and *Mantella aurantiaea*) using an abbreviated reporting form, which was circulated with Notification to the Parties No. 1999/48 of 1 July 1999. Because of the very limited response, the Secretariat, on the request of the Animals Committee, agreed to forward letters to the Management Authorities of 58 selected Parties, requesting the collection of information on mortalities during transport through use of the data collection form developed for this purpose. At the 11th meeting of the Conference of the Parties (Gigiri, April 2000), the Secretariat reported that it had received responses from 12 Management Authorities. The Secretariat and the Animals Committee urged the relevant Parties to make a renewed attempt to compile the required information.

7. At the 17th meeting of the Animals Committee (Hanoi, August 2001), its Transport Working Group was requested to collate and analyse all the mortality reporting forms received by the Secretariat or forwarded directly to the Transport Working Group. A draft report with the results of this analysis was presented and discussed at the 18th meeting of the Animals Committee (San José, April 2002). This report presented the analysis of 769 forms that were submitted by 12 Parties from November 1999 to

December 2001, representing shipments of 83,971 animals. The average mortality rate on arrival was 1.25 per cent. Of the animals that arrived alive, 85.9 per cent were reportedly in good condition, 12.1 per cent in medium state, and 2 per cent in poor condition. Ninety per cent of the shipments did not experience any mortality upon arrival. For six of the 12 target species, statistically sufficient information could be gathered to conclude that there was no conspicuously high dead-on-arrival rate for any of the species [*Chamaeleo senegalensis* had the highest mortality rate (2.21%), and *Macaca fascicularis* the lowest (0%)]. Some of the reporting forms contained information on quarantine mortality, and in the case of two target species, this could be further analysed. Quarantine mortality in *Psittacus erithacus* (5.12%) was significantly higher than the dead-on-arrival rate (0.02%), while this was not the case for *Macaca fascicularis* (0% dead on arrival; 0.21% mortality in quarantine).

8. Since the 11th meeting of the Conference of the Parties, considerably more reporting forms have been received than in preceding years, but relatively few Parties have provided them. Having discussed the draft report mentioned in paragraph 7, the Transport Working Group and the Animals Committee recommended that the Secretariat stop collecting mortality-related data using the reporting forms. The Secretariat concurs with this recommendation. The Transport Working Group suggested that further studies be undertaken on the causes of injury and mortality during preparation, transport, and in the post-transport period, and recommended that in-depth investigations should be conducted voluntarily by major importing countries to give a basis for preparing recommendations to other Parties. The Secretariat is of the opinion that it would also be important to identify good existing models and practices concerning the transport of live animals that can provide assistance to Parties that are exporting live animals, that cost-effective options for containers and packing materials should be investigated and that specific training of personnel involved in handling and transporting live animals would be beneficial in further reducing mortality.

Conclusion

9. Since 1995, efforts have been made to determine and monitor the incidence and impact of transport-related mortalities in CITES-listed species, which were initially hampered by a lack of reporting by Parties.

Submission of data report forms has improved in recent years. An analysis of the information that was collected through mortality reporting forms between 1999 and 2001 indicates that for animals of selected CITES-listed species that are shipped by air, the overall transport related mortality appears to be low to very low. The Secretariat is aware of several other studies on transport-related mortality in animals that show similar results, suggesting that dead-on-arrival rates are generally low, with the exception of a few isolated, and occasionally high-profile cases. Rather than continuing to request Parties to submit mortality reporting forms and tasking the Animals Committee and the Secretariat with further review of this information, the Secretariat recommends that the focus be on other elements of Resolution Conf. 10.21. The Secretariat encourages the Animals Committee to develop recommendations regarding transport by road, rail or ship to supplement, where necessary, the IATA Live Animals Regulation, and to investigate cost-effective options for containers and packing materials.

The Animals Committee could assist in identifying model practices concerning the transport and preparation for shipment of live wild animals, and develop recommendations to the Parties regarding the proper handling and transportation of live animals, particularly in exporting countries. The Secretariat encourages Parties to identify opportunities to improve training of personnel responsible for handling or controlling live animal transport. The Secretariat is of the opinion that consideration should be given at the 13th meeting of the Conference of the Parties to the revision and updating of Resolution Conf. 10.21. The Secretariat therefore recommends the adoption of a draft decision presented in the Annex

Annex

DRAFT DECISION OF THE CONFERENCE OF THE PARTIES

The Animals Committee, in collaboration with interested non-governmental organizations and the Secretariat, should:

- a) develop recommendations regarding transport by road, rail or ship to supplement, where necessary, the IATA Live Animals Regulations;
- b) investigate cost-effective options for containers and packing materials that could be recommended for adoption in the IATA Live Animals Regulations;
- c) assist in identifying model practices concerning the transport and preparation for shipment of live wild animals, and develop recommendations to the Parties regarding the proper handling and transportation of live animals, particularly in exporting countries; and
- d) report to the 13th meeting of the Conference of the Parties on progress with the implementation of paragraphs a) – c) above.

September 20th 2002

**A Report from the American Veterinary Medical Association
Animal Air Transportation Study Group**

TABLE OF CONTENTS

<i>Executive Summary</i>	2
I INTRODUCTION	4
II PUBLIC LAW 106-181 REVIEW	6
III STUDY GROUP CHARGE	7
IV STUDY GROUP ACTIVITIES	7
V FINDINGS	
A. General	
1. Definitions	8
2. Harmonization Statement	10
3. Observations	10
4. Standardization	
a) Passenger related issues	11
b) Cargo	
(i) Training	12
(ii) Areas in need of improvement	14
B. Table I Overall Assessment of Airline Training Programs	17
VI RECOMMENDATIONS	18
VII APPENDICES	
A. Animal Welfare Act	20
B. International Air Transport Association Handbook	29
C. Public Law 106-181	
<i>Wendell H. Ford Aviation Investment and Reform Act for the 21st Century</i>	43
D. Roster	45

Executive Summary

- ❖ The routine, safe transportation of dogs and cats occurs daily on commercial aircraft throughout the USA and the world.
- ❖ The Animal Welfare Act (AWA) and the International Air Transportation Association-Live Animals Regulations (IATA-LAR) clearly establish the rules, regulations and guidelines for air transport of dogs and cats. Public Law 106-181, the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century requires air carriers to improve the training of employees regarding both transportation requirements and notification of passengers/owners of the conditions under which the air transport of animals is conducted. This law also requires air carriers to submit monthly reports on any incidents involving the loss, injury or death of an animal to the Secretary of Transportation.
- ❖ As charged, the Animal Air Transportation Study Group has performed an in depth review of the majority of USA air carriers accepting dogs and cats for transport. The study group has revealed general due diligence by those airlines visited for the transport of dogs and cats, providing the animals' owners and the public a significant degree of comfort, confidence and reliability.
- ❖ The function of the Animal Air Transportation Study Group was to evaluate strengths as well as weakness in the training of those air carrier employees involved in the shipping of dogs and cats. Air carrier strengths were identified as well as recommendations for improvements.

Strengths:

- Several air carriers have dedicated air carrier live animal call centers to give the traveling public and pet owner the necessary information to properly and safely transport their dog or cat.
- Several air carriers have specific dog and cat air carrier transport programs with supporting brochures, checklists and web pages to educate the owner/shipper of a pet of the requirements and regulations to ship a pet.

Areas for improvement:

- Initial training is adequate in general but retraining, training at small stations, and training of contractors is inconsistent.
 - There is inconsistency in the requirement and use of animal health certificates and letters of acclimation.
 - The format and responsibilities regarding letters of acclimation should be changed.
 - Dogs and cats are occasionally overlooked in holding areas resulting in delays in transport when transfers to connecting flights are involved.
- ❖ Any new Department of Transportation (DOT) regulations should conform to the AWA and the IATA-LAR.

I INTRODUCTION

The Air Transport Association of America (ATA), Inc., represented by Mr. Frank J. Black, Director, Cargo Services and Facilitator for the Live Animal Task Force Air Transport Association of America, in a consent agreement between an ATA member air carrier and the United States Department of Agriculture (USDA)-Animal and Plant Inspection Service (APHIS)-Animal Care proposed a study to evaluate the training given to air carrier personnel who handle animals during transportation. In December of 2000, Dr. W. Ron DeHaven, Deputy Administrator for USDA-APHIS-Animal Care authorized a third party study and invited the American Veterinary Medical Association (AVMA) to participate. Dr. DeHaven recommended that the membership of the AVMA Animal Air Transportation Study Group consist of:

- (1) a laboratory animal veterinarian familiar with the Animal Welfare Act
- (2) a small animal practitioner that frequently signs health certificates for dogs/cats being shipped via airline carriers
- (3) a small animal practitioner that does not routinely handle the shipping of dogs/cats via airline carriers
- (4) a small animal practitioner familiar with airline carriers and the shipping of animals
- (5) a veterinarian representing the AVMA's Animal Welfare Committee

The AVMA's Executive Board nominated veterinarians who represent each of the designated specialty areas requested by Dr. W.R. DeHaven (see Appendix D. Roster). The AVMA objective is to advance the science and art of veterinary medicine, including its relationship to public health, biological science, and agriculture. Recognizing that veterinarians are the medical scientists who

are most concerned and most knowledgeable about the health of animals the AVMA was pleased to be able to identify veterinarians with the expertise to conduct the evaluation.

The AVMA Animal Air Transportation Study Group has concluded the review of training materials (brochures, videos, etc.), visits to airline carrier airports to witness the process of dog and cat acceptance procedures for air transport, and discussions with airline carrier staff responsible for the handling of dogs and cats being transported.

Through implementation of the recommendations in this report the AVMA's Animal Air Transportation Study Group believes that dog and cat owners and their animals will benefit from enhanced safety and security as they seek air travel.

Respectfully submitted,

The AVMA Animal Air Transport Study Group.

II PUBLIC LAW 106-181 REVIEW

A. Section 710 (Reports by Carriers on Incidents Involving Animals During Air Transport) of Public Law 106-181 (*The Wendell H. Ford Aviation Investment and Reform Act of the 21st Century*) requires that:

1. Air carriers must submit monthly reports on any incidents involving the loss, injury, or death of an animal to the Secretary of Transportation.
2. Air carriers must improve the training of employees with respect to air transport of animals, such that their employees will be better able to ensure the safety of animals and also that they will be better able to explain to passengers or shippers the conditions under which their animals are being carried.
3. The Secretaries of Transportation and Agriculture must ensure the sharing of information, and the Secretary of Transportation shall publish data on incidents and complaints.

B. The Animal Welfare Act (7 U.S.C. 2131 et. Seq.) Section 3.13 (Transportation) was considered in the course of this study. In addition, the International Air Transportation Association (IATA) – Live Animals Regulations was reviewed in the course of this study.

III STUDY GROUP CHARGE

The AVMA-Animal Air Transportation Study Group objectives were as follows:

1) To evaluate, on a national basis, the adequacy of employee training as it relates to the protection of dogs and cats in air transport.

2) To provide recommendations for improvement.

IV STUDY GROUP ACTIVITIES

The study group met initially with representatives from the Air Transport Association (ATA), the United States Department of Agriculture (USDA)-Animal and Plant Health Inspection Service (APHIS)-Animal Care, and the American Veterinary Medical Association (AVMA)-Governmental Relations Division (GRD), as well as representatives from five major airlines (see Appendix D: Group Roster). The initial meeting (June 7-8, 2001), along with subsequent multiple interviews and conference calls served to inform the study group members of pertinent information and perspectives from the various constituencies represented.

The five veterinarians in the study group visited airports, airline web sites, and air carrier call centers throughout the United States. Training programs were reviewed and facilities toured. Airline employees were interviewed regarding their training and knowledge of policies and procedures. Whenever possible the acceptance of dogs/cats for shipment was observed. Reports regarding each of these visits were circulated for review.

V FINDINGS

A. General

1. Definitions

Animal or Pet: Animal or pet shall be defined in this report as either a live dog or cat.

Reportable incident: A reportable incident is the death, injury, or escape of an animal while in the physical custody of the carrier, which after investigation, is proven to be the result of a preventable action by the carrier.

Non-reportable incident: A non-reportable incident may include but is not limited to:

- Sedation, tranquilization, or medication of the animal
- Death, injury or escape of the animal as a result of the animal's own actions
- Death, injury or escape of the animal after the animal has been released to the consignee or is otherwise not in the physical custody of the carrier
- Known or unknown illness or other physical or mental condition of the animal
- An unknown defect in the animal container that was not apparent to the shipper or carrier at the time of acceptance.

Certificate-of-Acclimation: The AWA and Animal Welfare Regulations define the temperatures and time frames of acceptance for animals for airline transportation. Practicing veterinarians are frequently asked by pet owners and the air carriers to provide a certificate-of-acclimation for dog and cat air travel. The certificate, suggested by the Animal Welfare Regulations, is to state that the

pet in question can safely tolerate specific temperature ranges for a specific length of time that are outside the ranges specified in the Regulations.

There is no scientific or other means (other than long term observation of that animal under adverse conditions) by which a veterinarian can determine whether an animal is acclimated to withstand temperatures that are lower than those specified by the Animal Welfare Regulations. The Animal Welfare Regulations do not permit exceeding the maximum specified temperatures. Therefore, signing such a certificate as is suggested by the Animal Welfare Regulations can be based only on conjecture, not upon professional medical or other scientific knowledge. Signing a certificate such as that suggested by the Animal Welfare Regulations leaves the veterinarian open to professional liability claims, in case an adverse event should occur, and with no means to validate the decision to render the certificate. Therefore, the AVMA has for many years recommended that veterinarians should word such certificates as follows: “The animals in this shipment appear healthy for transport, but need to be maintained at a temperature within the animal’s thermoneutral zone.” Unless otherwise determined by scientific research, the thermoneutral zone is assumed to be the temperatures and exposure times specified in the Animal Welfare Regulations.

The study group recommends replacing the certificate-of-acclimation by a veterinarian, with one that includes a statement and signature by the owner or consignee in conjunction with the veterinarian’s certificate of veterinary inspection. The owner is the individual who best knows the animal’s history and experience in adverse conditions, and that individual is the one who should accept any liability relating to a shipment that he or she authorizes.

2. Harmonization Statement

The study group recommends any new Department of Transportation regulations conform with existing AWA (Code 7 U.S.C. 2131 et. Seq.) regulations.

Further, the study group strongly advises the adoption of the IATA-LAR as a training aid to commercial passenger air carriers.

3. Observations

a. The study group found that air carrier call center personnel were well trained. This system provided quality service in the areas of advance passenger notification and technical information regarding containers, environmental requirements, and time requirements.

b. Passenger notification of animal shipment status was handled well by some airline carriers via use of a multicopy “pet tag” system. As a pet is being loaded onto an aircraft or transferred to a connecting flight, the traveling owner is given a written notice by the carrier crew that their pet is on board and safe. The owner’s concerns are dramatically reduced and the confidence in the airline carrier is enhanced. This should be considered by other carriers to assure a standardized system and enhance consignee/owner confidence.

c. Technical requirements are adequately defined by AWA and IATA-LAR regulations. These are included in current air carrier training materials and reviewed for compliance during FAA and USDA inspections.

d. Sedation/tranquilization decreases an animal's ability to respond to environmental conditions. These drugs should be administered only when necessary for specific problems and then only as determined by a veterinarian, either the owner's or carrier's. The administration of any sedative/tranquilizer drug needs to be recorded on the animal shipment documents, because it could affect the response of the animal to heat or cold stress.

4. Standardization

a) Passenger related issues

A ticketed passenger planning to travel with a dog or cat will find restrictions to animal air travel not previously experienced.

Several air carriers allow pets traveling with passengers to travel only as "booked" air cargo in the cargo hold.

For a wide variety of reasons (excessively hot or cold environmental conditions, peak travel times, budgets for training; employee turnover; economic conditions, etc.) many of the passenger air carriers have restricted the acceptance of dogs and cats for transport during the summer travel season as well as during the winter holiday travel season (e.g. Thanksgiving, Christmas and New Year's Day).

The study group did not specifically assess the passenger side of training as the airline industry response has been to reduce the acceptance of checked or accompanied baggage, when it contained dogs and cats, from ticketed passengers.

b) Air Cargo

The study group has evaluated those training programs from airlines that accept dogs and cats within their air cargo system.

(i) Training

Air carrier training materials consisted of classroom lecture, printed materials, computer-based information on CD ROM, web sites, videos, and “on-the job-training”. (See Table I).

Those air carriers choosing (some do not) to accept animals for transport do so under live animal air cargo product brand names. (*e.g.* Northwest’s Priority Pet; Delta’s Pet First; and Continental’s PetSafe).

Each of the air carrier live animal transport programs has a manager who monitors the program, supervises the training, and receives training record reports from the airline’s system-wide stations.

The air carriers have complied in some areas with Public Law 106-181, Section 710 requirements. Live animal call centers have been developed by some of the air carriers and air cargo agents have been trained to inform passenger and animal owners of conditions of flight and the requirements for shipping pets. This includes informing the pet owner of carrier/kennel size and shape requirements,

the need for certificate of veterinary inspection by a veterinarian and its time restrictions, letter of acclimation (where required by the individual airline), when and where that pet is to be brought to the airport. This has improved safety and welfare for dogs and cats being air transported.

These call centers and cargo personnel consider and review the procedures that follow, which include, but are not limited to:

- Inspection of the animal
- Inspection of the primary enclosure (kennel/container) used to transport dogs and cats
- Documentation of each phase of transport of the pet. (*i.e.* time of acceptance of the pet for shipping; name of employee accepting the pet; holding area location, loading of pet onto aircraft with appropriate notification to the owner in the passenger cabin, offloading of pet, holding area, delivery of pet to owner/consignee.)
- Health certificate and letter of acclimation when required.
- Holding area Passenger Facility and ramp areas (shelter and temperature)
- Holding area Air Cargo Facility and ramp areas (shelter and temperature)
- Passenger facility acceptance and handling
- Cargo facility acceptance and handling
- Determination of whether any of the dogs or cats are in obvious physical distress and the procedures to follow when an animal is determined to need veterinary attention by carriers' veterinarians as determined by Standard Operating Procedures (SOPs).
- Loading and carriage of animal to aircraft
- Loading of animal on airplane
- Off load procedures (e.g. delays on the tarmac)

- Delivery of the animal to the owner or consignee

(ii) Areas in need of improvement

1. Some concerns exist with the current training practice.

- Initial training is adequate in general but recurrent training is inconsistent. Some airline employees indicated that they had not received any formal recurrent training with regard to the handling of animals since the initial overview was presented. Also lacking in some training programs was an awareness of special emergency procedures that might be needed during loading/off-loading of animals. As government and individual airline regulations change, many staff involved in the handling of pets on aircraft are not informed or educated on the changes. Establishing a more formal training program that incorporates a time line for recurrent training would correct such deficiencies.
- The degree and frequency of training for ground handling staff appears to be inconsistent for some carriers. In smaller airports and airline stations the handling of cargo, pets and even passengers is often performed by outside contractors, not the airline carrier itself. It appears that these smaller stations and contractors receive less adequate formal training than airline employees. Major airports are more consistent overall than their smaller staffed counterparts.
- The intent to train the ground staff properly is based on sound written standards. However, some air carrier programs allot only 20-30 minutes for initial training utilizing the materials mentioned previously. Thus, there is considerable, informal, “on the job” training. While this may not necessarily be considered "bad", the lack of standardization offers opportunity

for omission of important considerations for safe animal care and transport. This weakness is especially prevalent in the small stations with contract staff as mentioned above. Regarding staff turn-over: as new air carrier employees start, the schedule and timing for formal proper animal handling procedures is often delayed. This increases the on-the-job training and the associated problems.

2. A weakness that was observed in the ground handling of animals occurred when an animal is to be transported from one aircraft to another. Animals are occasionally overlooked in holding areas thus missing flights and requiring the pet to sit longer in a kennel while waiting for another connecting flight. This puts obvious increased stress on the pet, the owner and even the air carrier ground crew. The sampling was limited, but noteworthy. Dedicated, transfer teams and more consistent tracking appear to minimize this weakness.

3. Some carriers will not allow a pet to be shipped until the shipper/owner has satisfactorily completed the airline forms and often a site visit of the shipper's facilities. Rules regarding who is an "approved shipper" vary between air carriers and are applied inconsistently within individual airlines. Many of the inconsistencies can be attributed to the current state of change of national security requirements.

4. There is an inconsistency among the carriers and within individual airlines regarding certificates of acclimation and other documentation. Air carrier personnel vary in their attention to detail. Within one airline carrier, the staff may vary in their adherence to policy requesting documentation, such as certificates of veterinary inspection or letters of acclimation. Many carriers have acceptance

checklists to assure proper handling, while others do not. Even those carriers with checklists are inconsistent with their use and enforcement. It is recommended that carriers focus more closely on the development and routine use of checklists to assure consistency regarding certificates of acclimation and other required documentation. This will assist carrier personnel in carrying out their duties and provide a more consistent message to pet owners.

B. Table I Overall Assessment of Airline Training Programs

Airline	Materials				Training			Centralized Training	
	Written	Graphics	Video	Web Site	Initial	Recurrent	Contractor	Centralized	Decentralized
E	A	NP	A	A	A	I	I		√
C	A	G	A	A	A	I	I	√	
F	A	G	NP	A	A	NP	NP	NP	NP
A	A	NP	A	A	A	I	I		√
D	A	G	A	A	A	I	I		√
B	A	NP	A	A	A	I	I	√	
Average	A	--	A	A	A	I	I	--	--

Code: A = Adequate
 I = Inconsistent
 NP = Not Provided
 G = Graphics Posted

Airline Carriers Participating in this Study (listed in alphabetical order)

American Airlines

Continental Airlines

Delta Airlines

Northwest Airlines

United Airlines

US Airways

VI RECOMMENDATIONS

1. The study group recommends replacing the certificate-of-acclimation by a veterinarian with one that includes a statement and signature by the owner or consignee in conjunction with the veterinarian's certificate of veterinary inspection.
2. The study group recommends any new Department of Transportation regulations conform with existing AWA (Code 7 U.S.C. 2131 et Seq.) regulations.
3. The study group recommends the adoption of the IATA-LAR as a training aid to commercial passenger air carriers.
4. The study group recommends that live animal call centers be developed by the air carriers as this has improved safety and welfare of dogs and cats being air transported.
5. To address the concerns surrounding current training practices, the study group recommends the establishment of a more formal training program that incorporates: a time line for recurrent training; a consistent standard and frequency of training for ground handling staff, especially for outside contractors that are used more frequently by smaller airports; and a standard training program to minimize the amount of informal "on the job" training thereby avoiding any omission of important considerations for safe animal care and transport. This would also minimize delay in training during staff turnovers.

6. The study group recommends dedicated, transfer procedures and more consistent tracking to avoid any animals from being overlooked during the transfers from one aircraft to another during connecting flights.
7. The study group recommends that air carriers update any rules regarding who is an “approved shipper” on a quarterly basis.
8. The study group recommends that air carriers develop and use acceptance checklists to assure consistency regarding certificates, such as certificate of veterinary inspection, and other required documentation.

VII APPENDICES

A. Animal Welfare Act

TITLE 9--ANIMALS AND ANIMAL PRODUCTS

CHAPTER I--ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A – ANIMAL WELFARE

PART 3--STANDARDS

Last update: April 25, 2001

Please Note: This web version of 9 CFR is not be used for official purposes.

<http://www.aphis.usda.gov/ac/cfr/9cfr3.html>

Sec. 3.12 Employees.

Each person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) maintaining dogs and cats must have enough employees to carry out the level of husbandry practices and care required in this subpart. The employees who provide for husbandry and care, or handle animals, must be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs and cats to supervise others. The employer must be certain that the supervisor and other employees can perform to these standards.

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats
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Transportation Standards

Sec. 3.13 Consignments to carriers and intermediate handlers.

(a) Carriers and intermediate handlers must not accept a dog or cat for transport in commerce more than 4 hours before the scheduled departure time of the primary conveyance on which the animal is to be transported. However, a carrier or intermediate handler may agree with anyone consigning a dog or cat to extend this time by up to 2 hours.

(b) Carriers and intermediate handlers must not accept a dog or cat for transport in commerce unless they are provided with the name, address, and telephone number of the consignee.

(c) Carriers and intermediate handlers must not accept a dog or cat for transport in commerce unless the consignor certifies in writing to the carrier or intermediate handler that the dog or cat was offered food and water during the 4 hours before delivery to the carrier or intermediate handler. The certification must be securely attached to the outside of the primary enclosure in a manner that makes it easily noticed and read. Instructions for no food or water are not acceptable unless directed by the attending veterinarian. Instructions must be in compliance with Sec. 3.16 of this subpart. The certification must include the following information for each dog and cat:

(1) The consignor's name and address;

(2) The tag number or tattoo assigned to each dog or cat under Secs. 2.38 and 2.50 of this chapter;

(3) The time and date the animal was last fed and watered and the specific instructions for the next feeding(s) and watering(s) for a 24-hour period; and

(4) The consignor's signature and the date and time the certification was signed.

(d) Carriers and intermediate handlers must not accept a dog or cat for transport in commerce in a primary enclosure unless the primary enclosure meets the requirements of Sec. 3.14 of this subpart. A carrier or intermediate handler must not accept a dog or cat for transport if the primary enclosure is obviously defective or damaged and cannot reasonably be expected to safely and comfortably contain the dog or cat without causing suffering or injury.

(e) Carriers and intermediate handlers must not accept a dog or cat for transport in commerce unless their animal holding area meets the minimum temperature requirements provided in Secs. 3.18 and 3.19 of this subpart, or unless the consignor provides them with a certificate signed by a veterinarian and dated no more than 10 days before delivery of the animal to the carrier or intermediate handler for transport in commerce, certifying that the animal is acclimated to temperatures lower than those required in Secs. 3.18 and 3.19 of this subpart. Even if the carrier or intermediate handler receives this certification, the temperatures the dog or cat is exposed to while in a terminal facility must not be lower than 45 deg. F (2.2 deg. C) for more than 4 consecutive hours when dogs or cats are present, as set forth in Sec. 3.18, nor lower than 45 deg. F (2.2 deg. C) for more than 45 minutes, as set forth in Sec. 3.19, when moving dogs or cats to or from terminal facilities or primary conveyances. A copy of the certification must accompany the dog or cat to its destination and must include the following information:

(1) The consignor's name and address;

(2) The tag number or tattoo assigned to each dog or cat under Secs. 2.38 and 2.50 of this chapter;

(3) A statement by a veterinarian, dated no more than 10 days before delivery, that to the best of his or her knowledge, each of the dogs or cats contained in the primary enclosure is acclimated to air temperatures lower than 50 deg. F (10 deg. C); but not lower than a minimum temperature, specified on a certificate, that the attending veterinarian has determined is based on generally accepted temperature standards for the age, condition, and breed of the dog or cat; and

(4) The signature of the veterinarian and the date the certification was signed.

(f) When a primary enclosure containing a dog or cat has arrived at the animal holding area at a terminal facility after transport, the carrier or intermediate handler must attempt to notify the consignee upon arrival and at least once in every 6-hour period thereafter. The time, date, and method of all attempted notifications and the actual notification of the consignee, and the name of the person who notifies or attempts to notify the consignee must be written either on the carrier's or intermediate handler's copy of the shipping document or on the copy that accompanies the primary enclosure. If the consignee cannot be notified within 24 hours after the dog or cat has arrived at the terminal facility, the carrier or intermediate handler must return the animal to the consignor or to whomever the consignor designates. If the consignee is notified of the arrival and does not accept delivery of the dog or cat within 48 hours after arrival of the dog or cat, the carrier or intermediate handler must return the animal to the consignor or to whomever the consignor designates. The carrier or intermediate handler must continue to provide proper care, feeding, and housing to the dog or cat, and maintain the dog or cat in accordance with generally accepted professional and husbandry practices until the consignee accepts delivery of the dog or cat or until it is returned to the consignor or to whomever the consignor designates. The carrier or intermediate handler must obligate the consignor to reimburse the carrier or intermediate handler for the cost of return transportation and care.

(Approved by the Office of Management and Budget under control number 0579-0093)

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats
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Sec. 3.14 Primary enclosures used to transport live dogs and cats.

Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must not transport or deliver for transport in commerce a dog or cat unless the following requirements are met:

(a) *Construction of primary enclosures.* The dog or cat must be contained in a primary enclosure such as a compartment, transport cage, carton, or crate. Primary enclosures used to transport dogs and cats must be constructed so that:

(1) The primary enclosure is strong enough to contain the dogs and cats securely and comfortably and to withstand the normal rigors of transportation;

(2) The interior of the primary enclosure has no sharp points or edges and no protrusions that could injure the animal contained in it;

(3) The dog or cat is at all times securely contained within the enclosure and cannot put any part of its body outside the enclosure in a way that could result in injury to itself, to handlers, or to persons or animals nearby;

(4) The dog or cat can be easily and quickly removed from the enclosure in an emergency;

(5) Unless the enclosure is permanently affixed to the conveyance, adequate devices such as handles or handholds are provided on its exterior, and enable the enclosure to be lifted without tilting it, and ensure that anyone handling the enclosure will not come into physical contact with the animal contained inside;

(6) Unless the enclosure is permanently affixed to the conveyance, it is clearly marked on top and on one or more sides with the words "Live Animals," in letters at least 1 inch (2.5 cm.) high, and with arrows or other markings to indicate the correct upright position of the primary enclosure;

(7) Any material, treatment, paint, preservative, or other chemical used in or on the enclosure is nontoxic to the animal and not harmful to the health or well-being of the animal;

(8) Proper ventilation is provided to the animal in accordance with paragraph (c) of this section; and

(9) The primary enclosure has a solid, leak-proof bottom or a removable, leak-proof collection tray under a slatted or mesh floor that prevents seepage of waste products, such as excreta and body fluids, outside of the enclosure. If a slatted or mesh floor is used in the enclosure, it must be designed and constructed so that the animal cannot put any part of its body between the slats or through the holes in the mesh. Unless the dogs and cats are on raised slatted floors or raised floors made of mesh, the primary enclosure must contain enough previously unused litter to absorb and cover excreta. The litter must be of a suitably absorbent material that is safe and nontoxic to the dogs and cats.

(b) *Cleaning of primary enclosures.* A primary enclosure used to hold or transport dogs or cats in commerce must be cleaned and sanitized before each use in accordance with the methods provided in Sec. 3.11(b)(3) of this subpart. If the dogs or cats are in transit for more than 24 hours, the enclosures must be cleaned and any litter replaced, or other methods, such as moving the animals to another enclosure, must be utilized to prevent the soiling of the dogs or cats by body wastes. If it becomes necessary to remove the dog or cat from the enclosure in order to clean, or to move the dog or cat to another enclosure, this procedure must be completed in a way that safeguards the dog or cat from injury and prevents escape.

(c) *Ventilation.*

(1) Unless the primary enclosure is permanently affixed to the conveyance, there must be:

(i) Ventilation openings located on two opposing walls of the primary enclosure and the openings must be at least 16 percent of the surface area of each such wall, and the total combined surface area of the ventilation openings must be at least 14 percent of the total combined surface area of all the walls of the primary enclosure; or

(ii) Ventilation openings on three walls of the primary enclosure, and the openings on each of the two opposing walls must be at least 8 percent of the total surface area of the two walls, and the ventilation openings on the third wall of the primary enclosure must be at least 50 percent of the total surface area of

that wall, and the total combined surface area of the ventilation openings must be at least 14 percent of the total combined surface area of all the walls of the primary enclosure; or

(iii) Ventilation openings located on all four walls of the primary enclosure and the ventilation openings on each of the four walls must be at least 8 percent of the total surface area of each such wall, and the total combined surface area of the openings must be at least 14 percent of total combined surface area of all the walls of the primary enclosure; and

(iv) At least one-third of the ventilation area must be located on the upper half of the primary enclosure.

(2) Unless the primary enclosure is permanently affixed to the conveyance, projecting rims or similar devices must be located on the exterior of each enclosure wall having a ventilation opening, in order to prevent obstruction of the openings. The projecting rims or similar devices must be large enough to provide a minimum air circulation space of 0.75 in. (1.9 cm) between the primary enclosure and anything the enclosure is placed against..

(3) If a primary enclosure is permanently affixed to the primary conveyance so that there is only a front ventilation opening for the enclosure, the primary enclosure must be affixed to the primary conveyance in such a way that the front ventilation opening cannot be blocked, and the front ventilation opening must open directly to an unobstructed aisle or passageway inside the conveyance. The ventilation opening must be at least 90 percent of the total area of the front wall of the enclosure, and must be covered with bars, wire mesh, or smooth expanded metal having air spaces.

(d) Compatibility.

(1) Live dogs or cats transported in the same primary enclosure must be of the same species and be maintained in compatible groups, except that dogs and cats that are private pets, are of comparable size, and are compatible, may be transported in the same primary enclosure.

(2) Puppies or kittens 4 months of age or less may not be transported in the same primary enclosure with adult dogs or cats other than their dams.

(3) Dogs or cats that are overly aggressive or exhibit a vicious disposition must be transported individually in a primary enclosure.

(4) Any female dog or cat in heat (estrus) may not be transported in the same primary enclosure with any male dog or cat.

(e) Space and placement.

(1) Primary enclosures used to transport live dogs and cats must be large enough to ensure that each animal contained in the primary enclosure has enough space to turn about normally while standing, to stand and sit erect, and to lie in a natural position.

(2) Primary enclosures used to transport dogs and cats must be positioned in the primary conveyance so as to provide protection from the elements.

(f) Transportation by air.

(1) No more than one live dog or cat, 6 months of age or older, may be transported in the same primary enclosure when shipped via air carrier.

(2) No more than one live puppy, 8 weeks to 6 months of age, and weighing over 20 lbs (9 kg), may be transported in a primary enclosure when shipped via air carrier.

(3) No more than two live puppies or kittens, 8 weeks to 6 months of age, that are of comparable size, and weighing 20 lbs (9 kg) or less each, may be transported in the same primary enclosure when shipped via air carrier.

(4) Weaned live puppies or kittens less than 8 weeks of age and of comparable size, or puppies or kittens that are less than 8 weeks of age that are littermates and are accompanied by their dam, may be transported in the same primary enclosure when shipped to research facilities, including Federal research facilities.

(g) Transportation by surface vehicle or privately owned aircraft.

(1) No more than four live dogs or cats, 8 weeks of age or older, that are of comparable size, may be transported in the same primary enclosure when shipped by surface vehicle (including ground and water transportation) or privately owned aircraft, and only if all other requirements of this section are met.

(2) Weaned live puppies or kittens less than 8 weeks of age and of comparable size, or puppies or kittens that are less than 8 weeks of age that are littermates and are accompanied by their dam, may be transported in the same primary enclosure when shipped to research facilities, including Federal research facilities, and only if all other requirements in this section are met.

(h) Accompanying documents and records. Shipping documents that must accompany shipments of dogs and cats may be held by the operator of the primary conveyance, for surface transportation only, or must be securely attached in a readily accessible manner to the outside of any primary enclosure that is part of the shipment, in a manner that allows them to be detached for examination and securely reattached, such as in a pocket or sleeve. Instructions for administration of drugs, medication, and other special care must be attached to each primary enclosure in a manner that makes them easy to notice, to detach for examination, and to reattach securely. Food and water instructions must be attached in accordance with Sec. 3.13(c).

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[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 3023, Jan. 21, 1998]*

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats
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Sec. 3.15 Primary conveyances (motor vehicle, rail, air, and marine).

(a) The animal cargo space of primary conveyances used to transport dogs and cats must be designed, constructed, and maintained in a manner that at all times protects the health and well-being of the animals transported in them, ensures their safety and comfort, and prevents the entry of engine exhaust from the primary conveyance during transportation.

(b) The animal cargo space must have a supply of air that is sufficient for the normal breathing of all the animals being transported in it.

(c) Each primary enclosure containing dogs or cats must be positioned in the animal cargo space in a manner that provides protection from the elements and that allows each dog or cat enough air for normal breathing.

(d) During air transportation, dogs and cats must be held in cargo areas that are heated or cooled as necessary to maintain an ambient temperature and humidity that ensures the health and well-being of the dogs or cats. The cargo areas must be pressurized when the primary conveyance used for air transportation is not on the ground, unless flying under 8,000 ft. Dogs and cats must have adequate air for breathing at all times when being transported.

(e) During surface transportation, auxiliary ventilation, such as fans, blowers or air conditioning, must be used in any animal cargo space containing live dogs or cats when the ambient temperature within the animal

cargo space reaches 85 deg.F (29.5 deg.C). Moreover, the ambient temperature may not exceed 85 deg.F (29.5 deg.C) for a period of more than 4 hours; nor fall below 45 deg.F (7.2 deg.C) for a period of more than 4 hours. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(f) Primary enclosures must be positioned in the primary conveyance in a manner that allows the dogs and cats to be quickly and easily removed from the primary conveyance in an emergency.

(g) The interior of the animal cargo space must be kept clean.

(h) Live dogs and cats may not be transported with any material, substance (e.g., dry ice) or device in a manner that may reasonably be expected to harm the dogs and cats or cause inhumane conditions.

[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10498, 10499, Mar. 4, 1998]

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats
11

Sec. 3.16 Food and water requirements.

(a) Each dog and cat that is 16 weeks of age or more must be offered food at least once every 24 hours. Puppies and kittens less than 16 weeks of age must be offered food at least once every 12 hours. Each dog and cat must be offered potable water at least once every 12 hours. These time periods apply to dealers, exhibitors, research facilities, including Federal research facilities, who transport dogs and cats in their own primary conveyance, starting from the time the dog or cat was last offered food and potable water before transportation was begun. These time periods apply to carriers and intermediate handlers starting from the date and time stated on the certificate provided under Sec. 3.13(c) of this subpart. Each dog and cat must be offered food and potable water within 4 hours before being transported in commerce. Consignors who are subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must certify that each dog and cat was offered food and potable water within the 4 hours preceding delivery of the dog or cat to a carrier or intermediate handler for transportation in commerce, and must certify the date and time the food and potable water was offered, in accordance with Sec. 3.13(c) of this subpart.

(b) Any dealer, research facility, including a Federal research facility, or exhibitor offering any dog or cat to a carrier or intermediate handler for transportation in commerce must securely attach to the outside of the primary enclosure used for transporting the dog or cat, written instructions for the in-transit food and water requirements for a 24-hour period for the dogs and cats contained in the enclosure. The instructions must be attached in a manner that makes them easily noticed and read.

(c) Food and water receptacles must be securely attached inside the primary enclosure and placed so that the receptacles can be filled from outside the enclosure without opening the door. Food and water containers must be designed, constructed, and installed so that a dog or cat cannot leave the primary enclosure through the food or water opening.

(Approved by the Office of Management and Budget under control number 0579-0093)

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats
11

11 These minimum standards apply only to live dogs and cats, unless stated otherwise

Sec. 3.17 Care in transit.

(a) *Surface transportation (ground and water).* Any person subject to the Animal Welfare regulations transporting dogs or cats in commerce must ensure that the operator of the conveyance, or a person accompanying the operator, observes the dogs or cats as often as circumstances allow, but not less than once every 4 hours, to make sure they have sufficient air for normal breathing, that the ambient temperature is within the limits provided in Sec. 3.15(e), and that all applicable standards of this subpart are being complied with. The regulated person must ensure that the operator or person accompanying the operator

determines whether any of the dogs or cats are in obvious physical distress and obtains any veterinary care needed for the dogs or cats at the closest available veterinary facility.

(b) *Air transportation.* During air transportation of dogs or cats, it is the responsibility of the carrier to observe the dogs or cats as frequently as circumstances allow, but not less than once every 4 hours if the animal cargo area is accessible during flight. If the animal cargo area is not accessible during flight, the carrier must observe the dogs or cats whenever they are loaded and unloaded and whenever the animal cargo space is otherwise accessible to make sure they have sufficient air for normal breathing, that the animal cargo area meets the heating and cooling requirements of Sec. 3.15(d), and that all other applicable standards of this subpart are being complied with. The carrier must determine whether any of the dogs or cats are in obvious physical distress, and arrange for any needed veterinary care as soon as possible.

(c) If a dog or cat is obviously ill, injured, or in physical distress, it must not be transported in commerce, except to receive veterinary care for the condition

(d) Except during the cleaning of primary enclosures, as required in Sec. 3.14(b) of this subpart, during transportation in commerce a dog or cat must not be removed from its primary enclosure, unless it is placed in another primary enclosure or facility that meets the requirements of Sec. 3.6 or Sec. 3.14 of this subpart.

(e) The transportation regulations contained in this subpart must be complied with until a consignee takes physical delivery of the dog or cat if the animal is consigned for transportation, or until the animal is returned to the consignor.

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats ¶1

¶1 These minimum standards apply only to live dogs and cats, unless stated otherwise

Sec. 3.18 Terminal facilities.

(a) *Placement.* Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) must not commingle shipments of dogs or cats with inanimate cargo in animal holding areas of terminal facilities.

(b) *Cleaning, sanitization, and pest control.* All animal holding areas of terminal facilities must be cleaned and sanitized in a manner prescribed in Sec. 3.11(b)(3) of this subpart, as often as necessary to prevent an accumulation of debris or excreta and to minimize vermin infestation and disease hazards. Terminal facilities must follow an effective program in all animal holding areas for the control of insects, ectoparasites, and birds and mammals that are pests to dogs and cats.

(c) *Ventilation.* Ventilation must be provided in any animal holding area in a terminal facility containing dogs or cats, by means of windows, doors, vents, or air conditioning. The air must be circulated by fans, blowers, or air conditioning so as to minimize drafts, odors, and moisture condensation. Auxiliary ventilation, such as exhaust fans, vents, fans, blowers, or air conditioning must be used in any animal holding area containing dogs and cats, when the ambient temperature is 85 deg.F (29.5 deg.C) or higher

(d) *Temperature.* The ambient temperature in an animal holding area containing dogs or cats must not fall below 45 deg.F (7.2 deg.C) or rise above 85 deg.F (29.5 deg.C) for more than four consecutive hours at any time dogs or cats are present. The ambient temperature must be measured in the animal holding area by the carrier, intermediate handler, or a person transporting dogs or cats who is subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3), outside any primary enclosure containing a dog or cat at a point not more than 3 feet (0.91 m) away from an outside wall of the primary enclosure, and approximately midway up the side of the enclosure. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(e) *Shelter.* Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) holding a live dog or cat in an animal holding area of a terminal facility must provide the following:

(1) *Shelter from sunlight and extreme heat.* Shade must be provided that is sufficient to protect the dog or cat from the direct rays of the sun.

(2) *Shelter from rain or snow.* Sufficient protection must be provided to allow the dogs and cats to remain dry during rain, snow, and other precipitation.

(f) *Duration.* The length of time any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) can hold dogs and cats in animal holding areas of terminal facilities upon arrival is the same as that provided in Sec. 3.13(f) of this subpart.

[56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10499, Mar. 4, 1998]

Subpart A--Specifications for the Humane Handling, Care, Treatment, and Transportation of Dogs and Cats 111

111 These minimum standards apply only to live dogs and cats, unless stated otherwise

Sec. 3.19 Handling.

(a) Any person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) who moves (including loading and unloading) dogs or cats within, to, or from the animal holding area of a terminal facility or a primary conveyance must do so as quickly and efficiently as possible and must provide the following during movement of the dog or cat:

(1) *Shelter from sunlight and extreme heat.* Sufficient shade must be provided to protect the dog or cat from the direct rays of the sun. The dog or cat must not be exposed to an ambient air temperature above 85 deg.F (29.5 deg.C) for a period of more than 45 minutes while being moved to or from a primary conveyance or a terminal facility. The temperature must be measured in the manner provided in Sec. 3.18(d) of this subpart. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(2) *Shelter from rain and snow.* Sufficient protection must be provided to allow the dogs and cats to remain dry during rain, snow, and other precipitation.

(3) *Shelter from cold temperatures.* Transporting devices on which live dogs or cats are placed to move them must be covered to protect the animals when the outdoor temperature falls below 50 deg.F (10 deg.C). The dogs or cats must not be exposed to an ambient temperature below 45 deg.F (7.2 deg.C) for a period of more than 45 minutes, unless they are accompanied by a certificate of acclimation to lower temperatures as provided in Sec. 3.13(e). The temperature must be measured in the manner provided in Sec. 3.18(d) of this subpart. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

(b) Any person handling a primary enclosure containing a dog or cat must use care and must avoid causing physical harm or distress to the dog or cat.

(1) A primary enclosure containing a live dog or cat must not be placed on unattended conveyor belts, or on elevated conveyor belts, such as baggage claim conveyor belts and inclined conveyor ramps that lead to baggage claim areas, at any time; except that a primary enclosure may be placed on inclined conveyor ramps used to load and unload aircraft if an attendant is present at each end of the conveyor belt.

(2) A primary enclosure containing a dog or cat must not be tossed, dropped, or needlessly tilted, and must not be stacked in a manner that may reasonably be expected to result in its falling. It must be handled and positioned in the manner that written instructions and arrows on the outside of the primary enclosure indicate.

(c) This section applies to movement of a dog or cat from primary conveyance to primary conveyance, within a primary conveyance or terminal facility, and to or from a terminal facility or a primary conveyance.

(Approved by the Office of Management and Budget under control number 0579-0093) [56 FR 6486, Feb. 15, 1991, as amended at 63 FR 10499, Mar. 4, 1998]

B. International Air Transport Association Handbook

International Air Transportation Association (IATA) - Live Animals Regulations (LAR)

(IATA Resolution 620, Attachment "A")

28th Edition, Effective 1 October 2001

Permission to quote sections of the IATA-LAR granted by Mr. E. Raemdonck, Secretary of IATA.

CHAPTER 8— CONTAINER REQUIREMENTS

8.1 GENERAL REQUIREMENTS

8.1.1 Construction Requirements

For general transport purposes, animals will be carried only in closed containers; carriage in open stall must be especially arranged with the carriers concerned.

It is essential that containers be well constructed. Dimensions, where stated, are length, width and height. Dimensions shown in these Regulations are only illustrative. They must be related to the actual size at the animal for which the container is constructed and also reflect the ventilation and welfare requirements for the species concerned.

Although few limitations exist for freighter aircraft, such factors as the size of the compartment door and area of the aircraft hold determines the acceptability of live animal consignments. Consequently this must be considered when determining the size of the container to be used, in accordance with the principles of design outlined in this chapter when routing the consignment.

The appropriate container requirement for individual species must be consulted. Certain species require either reinforced containers due to size and weight while others need lined on metal containers due to their destructive capabilities. The container requirement will be relevant to the species concerned and the principles of design must be adhered to for that species.

It must be easy for staff to handle. Spacer devices must be incorporated into the design as they will provide handles for moving the container as well as prevent the ventilation apertures becoming blocked by other freight. Handles may be attached in addition to the spacer bars.

It must give the handlers protection from being clawed or bitten by the animal.

If forklift spacers are required they must be at least 5 cm (2 in) thick. Allowance for the extra height must be made when calculating the dimensions of the container.

8.1.2 Ventilation Requirements

The container must be adequately ventilated on three sides, with the majority of the ventilation being provided on the upper part of the container, but note must be taken that there are exceptions to these usual requirements which are stated in the container requirement for that particular species.

Note: Requirements for ventilation, strength, etc. are different for shipment of one or two animals as opposed to bulk shipment.

8.1.3 Safety Requirements

The container must be suitable to keep the animal inside at all times.

It must protect the animal from unauthorized access, i.e. the doors must be constructed so that accidental opening cannot occur, either from the inside or the outside, and the ventilation apertures must be small enough to prevent the protrusion of any part of the animal.

It must be able to withstand other freight damaging it or causing the structure to buckle or bend. Joints of wooden containers must be made so that they cannot be damaged by the animal gnawing or clawing the container from the inside.

It must be rigid enough to prevent the animal escaping through gaps at the seams or joints.

It must not cause the animal to damage itself, i.e. all inside edges must be smooth or rounded. There must be no sharp projections (such as nails) upon which the animal could hurt itself. The ventilation apertures must be small enough *to prevent any part of the animal to protrude from the container*.

8.1.4 Animal Welfare and Health Requirements

Each container must be *suitable* for the species being transported.

It must in general allow the animal to stand, turn and lie down in a natural manner. There are a few exceptions to this rule found in the container requirement for the species concerned. In bird containers there must be sufficient perch space for each individual, and enough height for the bird to perch with its head upright and its tail clear off the floor. Non-perching birds must be able to stand upright except in the case of pheasants. In the case of animals traveling in sealed solid-wall outer containers, e.g., ornamental fish and other aquatic species requiring total immersion in water to support life, whose welfare would be compromised by carriers' opening the outer containers, the outer containers should ordinarily remain sealed for the whole duration of the transportation process. If difficulties arise either local expert assistance should be obtained or the containers should be taken to their destination as rapidly as possible.

Note: States may require the physical inspection of the contents of shipments tendered by shippers meeting a specific state mandated criteria as determined by the transporting carrier.

It must be clean and, if being reused it must have been thoroughly disinfected or sterilized.

It must be leak-proof, absorbent bedding must be provided by the shipper that is suitable for the species. Straw is unacceptable as many countries prohibit its importation.

It must be constructed of non-toxic materials. Chemically impregnated wood may be poisonous, as are soldered tin water containers.

Note: Wooden crates entering the United States of America from countries other than Canada and the adjacent border states in Mexico must be constructed with wood packing materials that is totally free of bark except for plywood. Such responsibility lies strictly with the importer of the shipment.

For other species which are obviously disturbed by the shipment, reducing the light within the container and the noise level within its vicinity will usually be sufficient to quiet the animal. Pets are best left by their owners at the time of acceptance in order that they can become quietly accustomed to the strange surroundings. They must preferably be held in a darkened area and with as little noise as possible nearby.

8.1.5 Food and Water Requirements

Food and water containers must be provided, either fixed inside the container or attached to it with a means of access provided, in case of undue delays during the journey. These containers must have rounded edges and be made of non-toxic materials for the species. Shippers instructions for feeding and watering must be given in writing at the time of acceptance.

Food must be provided by the shipper but it must be checked that it does not contravene any regulations of the country(ies) of transit or importation. In the case of sealed containers, feeding is not possible and the shipper must be aware of this fact. Likewise, products of animal origin, such as meat or food containing meat, must not be accepted inside the container for the same reason. Unauthorized food must not be offered.

8.1.6 Specific Pathogen Free (SPF) Requirements

When animals are carried in Specific Pathogen Free (SPF) conditions, the shipper must at least comply in all respect with the specific container requirement in this chapter. Special measures must be taken to ensure that ventilation rates are maintained within the container.

8.1.7 Important Remarks

It must be noted that the IATA Live Animal Regulations container requirements stipulate the *minimum requirements* for air shipment. The construction principle of containers described within these Regulations are not intended to conform to any Airworthiness requirement.

The illustrations shown throughout the container requirements are examples only.

8.2 STOCKING DENSITIES

8.2.1 General Considerations

When calculating stocking rates the following variables must be taken into account:

- it is essential that accurate weights of animals are obtained in view of the weight limitations imposed by the load capabilities of the aircraft and the space required per animal;

- in two-tier penning there is loss of floor area in the upper tier due to the contour of the plane and the overall height limitation;

- pallets may not fill the plane completely and the available space will be less than the total area of aircraft;

- ambient temperatures in relation to the ventilation capacity of the aircraft at loading and stopovers;

- special attention must be paid to the transport of sheep in heavy wool which require reduced stocking density and pigs which have limited ability to dissipate heat;

- animals confined in groups, especially in pens, must be stocked at a density high enough to prevent injuries at take-off, during turbulence and at landing, but not to the extent that individual animals cannot lie down and rise unaided without risk of injury or crushing;

- when carrying bulk loads of animals the following points must also be taken into consideration when determining the suitability of the aircraft being used:

- fresh air ventilation,
 - calculation of fresh air ventilation requirements,
 - humidity (content of water in the air),
 - the ability to extract carbon dioxide (CO₂);

unless all these points can be satisfied, consideration must not be given to the bulk carriage of animals on the aircraft.

8.3 CONTAINER REQUIREMENTS

GENERAL CONTAINER REQUIREMENTS FOR PET ANIMALS¹, FARM LIVESTOCK AND FARMED DEER OR ANTELOPE (CR 1—3)

Design and Construction

When constructing containers for animal shipment, the normal habits and necessary freedom of movement must be considered.

For general transport purposes, animals will be carried only in closed containers. Carriage in open stall must be separately arranged with carrier concerned.

The container must be well constructed and be able to withstand other freight damaging it or causing the structure to buckle or bend. It must be rigid enough to prevent the animal escaping through gaps at the seams or joints. Certain species require reinforced containers due to size and weight

It must be constructed of non-toxic materials. Chemically impregnated wood may be poisonous and must not be used.

The container must be suitable to keep the animal inside at all times and protect the animal from unauthorized access. The door must be constructed so that accidental opening cannot occur, either from the inside or the outside.

The container must not cause the animal to damage itself. All inside edges must be smooth or rounded. There must be no sharp projections, such as nails, upon which the animal can injure itself. Joints of a wooden container must be made so that they cannot be damaged by the animal gnawing or clawing the container from the inside.

The container must be clean and leak-proof. If the container is to be reused, it must be cleaned thoroughly and then disinfected or sterilized prior to reuse. Absorbent bedding must be provided by the shipper that is suitable for the species. Straw is unacceptable as many countries prohibit its importation.

It must be easy for staff to handle and provide the handlers protection from being clawed or bitten by the animal. Spacer devices must be incorporated into the design as they will provide handles for moving the container as well as preventing the ventilation openings becoming blocked by other freight. Handles may be attached in addition to the spacer bars.

If forklift spacers are required they must be at least 5 cm (2 in) thick. Allowance for the extra height must be made when calculating the dimensions of the container.

For certain small domestic livestock, rigid plastic pet containers are suitable. Modifications to the door mesh must be carried out for pigs to prevent urine escaping. Food and water containers must be of a suitable type for the animal. These containers are best suited to individual animal shipments and must meet the general requirements for welfare and safety. Labeling is mandatory on these as well as all other containers.

If a container has wheels, they must be removed or rendered inoperable.

Dimensions and Stocking Density

Dimensions shown in these Regulations are illustrative and therefore must be related to the actual size of the animal for which the container is constructed. It must in general allow the animal to stand, turn and lie down in a natural manner. There are a few exceptions to this rule found in the container requirements relevant to the particular species.

¹ The definition of pet animals in this section refers to dogs and cats.

Ventilation

The container must be adequately ventilated on at least three sides, with the majority of the ventilation being provided on the upper part of the container. There are exceptions to these requirements which are stated in the specific container requirement for that particular species.

The ventilation openings must be small enough or covered with mesh in order to prevent escape or any part of the animal protruding with the resultant danger of injury.

Feeding and Watering

Separate food and water troughs must be provided, either fixed inside the container or attached to it so that they are accessible for replenishing purposes. They must have rounded edges and be made of non-toxic material suitable for the species.

The shipper's instruction for feeding and watering must be given in writing at the time of acceptance. Feeding and watering instructions must be affixed to the container and a copy of the instruction must accompany the shipping documents. Any feed or water given must be recorded on the container instructions with the date and time of supply.

Food must be provided by the shipper, but it must be checked that it does not contravene any regulations of the country(ies) of transit or importation. In the case of sealed containers, feeding is not possible and the shipper must be aware at this fact. Likewise, products of animal origin, such as meat or food containing meat, must not be accepted inside the container for the same reason.

Unauthorized food must not be offered.

Labeling and Marking

The container must be correctly labeled in accordance with the instructions contained in Chapter 9. Labels must not block ventilation openings, especially on small containers.

Specific Pathogen Free (SPF) Animals

When animals are carried in SPF conditions, the shipper must comply in all respects with the specific container requirement in this section. Special measures must be taken to ensure that the ventilation rates are maintained within the container.

Special Care

For species which are obviously disturbed by the shipment, reducing the light within the container and the noise level within its vicinity will usually be sufficient to quiet the animal. They must be held in a darkened area with as little noise as possible nearby.

Pets are best left by their owner at the time of acceptance in order that they can become quietly accustomed to the strange surroundings.

Tranquillization

Sedation of animals, except under certain conditions and carried out under veterinary direction, is not recommended. Most, if not all, commonly used tranquillizing drugs have the effect of lowering the blood pressure, this also occurs naturally at high altitudes. The air pressure of an aircraft in flight is set at the equivalent of approximately 8,000 ft. The combination of altitude and drugs is potentially fatal in the old, chronically sick or stressed animals. Sedation by darkening the container and putting it in a cool quiet place when not in the air craft, will calm most pets and other animals. It is the preferred method for air travel. If sedatives are used, the name of the drug, the time and route of administration must be clearly marked on the

container and a copy of the record must be attached to the documents relating to that shipment. Any further medication administered must be recorded and accompany the shipment with the name of the sedative, time of administration and the route of administration.

Important Notes

If must be noted that the IATA Live Animals Regulations container requirements stipulate the minimum requirements for air shipment. The construction principle of containers described within these Regulations are not intended to conform to any airworthiness requirements. Structural aircraft containers must comply with the specifications published in the IATA ULD Technical Manual.

Although few limitations exist for freighter aircraft, such factors as the size of the compartment door and area of the aircraft hold determines the acceptability of live animal consignments. Consequently, this must be considered when determining the size of the container to be used, in accordance with the principles of design outlined in this section when routing the consignment.

It is a legal requirement by many governments that have incorporated these Regulations into their national legislation in regards of the shipment of live animals by air. Therefore, care must be taken that compliance is evident at the time of live animal shipment acceptance.

In addition to the above General Requirements, the Specific Requirements that are relevant to the individual species must be consulted and adhered to.

The illustrations shown in the following specific container requirements are examples only. Containers that conform to the principle of the written guidelines for the species but look slightly different will still meet the IATA standards.

CONTAINER REQUIREMENT 1

The illustrations shown in this Container Requirement are examples only. Containers that conform to the principle of written guidelines for the species but look slightly different will still meet the IATA standards.

Applicable to:

- Cats (domestic)
- Dogs (domestic)

See *Variations GBG-05, HKG-01, SAG-02, USG Variations and ZWG-02/02/04 in Chapter 2 and Variations AF-01, BA-04, CO-04/05/06/07/08/09/10, E1-01, SV-01 in Chapter 3.*

Note: *For carriage or domestic pet in passenger cabins as accompanied baggage see Chapters 2 and 3.*

1. CONTAINER CONSTRUCTION

(Some governmental regulations require that the container must be sealed during transportation. Certain airlines will not carry wooden containers. See exceptions AUG-01 and NZG-01 in Chapter 2; AC-01 and QF-01 in Chapter 3;)

Materials

Fiberglass, metal, rigid plastics, weld metal mesh, solid wood or plywood.

Principles of Design

EXAMPLE: (see diagram in IATA handbook, page 159)

The following principles of design must be met in addition to the General Container Requirements outlined at the beginning of this chapter.

Containers made entirely of welded mesh or wire mesh are not suitable for air transport.

Rigid plastic containers (except collapsible types) are suitable for most breeds of dog but their carriage is at the discretion of the carrier. Larger plastic containers must have at least two secured door fasteners. If a container has wheels, they must be removed or rendered inoperable.

Rigid plastic containers are not suitable for dogs over 40kg (88 lb) or breeds of dogs that are aggressive. Specially constructed containers of hardwood, metal, plywood or similar material, with two secure door fasteners on each side, must be used.

Size

Each animal contained in the container must have enough space to turn about normally while standing, to stand and sit erect, and to lie in a natural position.

Frame

Rigid plastic or solid wood with joints screwed or bolted depending on the weight of the animal. For dogs over 40 kg (88 lb) it is advisable that a solid wooden outer frame with additional cross membering be used.

Sides

Side walls must be solid with smooth interior and with 2.5 cm (1 in) ventilation holes or meshed slits in the upper third of three sides. The interior of the container must be smooth with no protrusions that the animal can bite or scratch to cause damage to the integrity of the container in any way. For dogs over 40 kg (88 lb) plywood of a minimum 6 mm (1/4 in) or equivalent material must be used to line the outer framework.

Note 1: *A maximum of two adult animals of comparable size up to 14 kg each, that are used to cohabitation, may be shipped in the same container. Animals over that weight must travel individually.*

Note 2: *Animals up to six months old from the same litter, up to a maximum quantity of three, maybe shipped in the same container/compartment.*

The whole of one end of the container must be open, covered with bars, weld mesh or smooth expanded metal which is securely fixed to the container so that the animal cannot dislodge it.

Handling Spacer Bars/Handles

Must be provided along the middle of both long sides of the container.

Floor

The floor must be solid and leak-proof.

Roof

The roof must be solid but ventilation holes are allowed over the whole surface provided that they do not reduce the integrity of the strength of the roof itself.

Door

The door must form the whole of one end of the container. It can be either sliding or hinged.

There must be an adequate means of fastening and sealing for those containers destined to countries where sealing is required. Large doors will require additional hinging and two or three secure means of fastening to be fully secure.

The door must be constructed of welded or cast metal of sufficient gauge or thickness so as to preclude the animal from bending or distorting the door. Doors made of plastic material are not allowed.

For rigid plastic containers, the door hinge and locking pins must engage the container by at least 1.6 cm (5/8 in) beyond the horizontal extensions above and below the door opening where the pins are fitted.

The shipper must ensure that all hardware and fasteners are in place and serviceable.

Ventilation

Ventilation is provided by an open end to the container (which can be the door) and by ventilation openings at a minimum of 2.5 cm (1 in) over the upper two thirds of the opposite end and the remaining two sides, at a distance of 10 cm (4 in) from center to center of each opening.

In the case of specially constructed large dog containers the open end must be covered by closely spaced metal bars or a double weld mesh with 1 cm (1/2 in) spacing between the meshes.

The total ventilated area must be at least 16% of the total surface of the four sides. The protrusion of additional holes on the roof or sides of the container or larger mesh covered holes in order to increase the ventilation are permitted.

All openings must be nose and paw-proof, in the case of cats and small dogs these may have to be covered with mesh. It is very important that no animal has any surface or edge at which it can gnaw or scratch.

Feed and Water Containers

Water container must be present within the container with outside access for filling. Food containers must be present either within the container, if sealed, or attached to it for use in cases of delay.

Forklift Spacers

Must be provided for alt containers where the total weight with the animal exceeds 60 kg (132 lb).

SPF Containers

Specific Pathogen Free (SPF) dogs and cats must be transported in containers whose dimensions conform to the requirements published in this Container Requirement. SPF labeling must be affixed to the container plus "This Way Up" labels. Filter containers for SPF consignments have special gauge air filters fixed in the ventilation apertures. Ventilation must be a minimum of 16% of the surface area of the four sides. Sufficient water must be provided for the journey. Food must be provided, if required, at the point of origin in order that the sealed container is not opened during transport. A viewing panel must be provided on SPF containers.

Labeling

A green "Live Animals" label/tag or a red "Laboratory Animals" label/tag is mandatory on all live animal consignments. "This Way Up" labels/tags are also mandatory and must be placed on all four sides of the container whenever possible. The label or tag can be imprinted on the container.

2. PREPARATIONS BEFORE DISPATCH (see Chapter 5)

Tranquillization of dogs and cats is not recommended.

See General Container Requirements at the beginning of this chapter.

Feed the animal only a light meal and a short drink approximately two hours before dispatch and exercise the animal immediately before dispatch.

Snub nose dogs, such as boxers, bulldogs, pekingese and pugs, are affected more than other breeds by rarefied atmosphere and care must be taken to ensure that the front of the container has open bars from the top to the bottom of the box for ventilation. It is essential that the animal be free from respiratory troubles.

Shipment of females in heat (oestrus) is not recommended.

Females with suckling young and unweaned animals will not be accepted for carriage.

Weaned puppies younger than eight weeks must not be shipped due to possible dehydration effects in air transportation. Kittens likewise, younger than 8 weeks must not be shipped but it is recommended that a veterinary certificate be provided for those under 12 weeks stating the animal(s) is/are fit to be transported because of their small size, especially as some breeds, renders them more susceptible to the effects of dehydration.

Weaned puppies and kittens may travel well together. The quantity must be related to the size and strength of the individual animal. Avoid shipping a weakling which could be harmed by its companions. Certain national regulations require cats or dogs to be crated individually unless the consignment is a litter over 8 weeks with the mother.

For pet animals, a familiar article in the container helps to placate the animal. Animal's name must be marked on the outside of the container.

3. FEEDING AND WATERING GUIDE

(for emergency use only)

Animals do not normally require additional feeding during 12 hours following the time of dispatch. Water must be provided if total journey time exceeds 12 hours. Care must be taken not to overfill the container.

If feeding is required due to an unforeseen delay, meat, biscuits and canned pet food must be provided but care must be taken not to overfeed.

4. GENERAL CARE AND LOADING

(see Chapters 5 and 10)

Containers of young animals of the same species may be loaded adjacent to each other. Containers with cats and containers with dogs must be kept apart, unless they are used to cohabiting. Care must be taken in loading different breeds of dogs to prevent snapping and disturbing one another and, in particular, where one animal is stronger than the other, subjecting the weaker of the two to fear.

Accompanied dogs and cats that are transported in the aircraft hold must comply with these Regulations.

Warning 1: *Snub-nosed dogs must be stowed as far away as practical from other loads to ensure they have the largest amount of air space available in the hold.*

Warning 2: *If it is necessary to open the box for any reason, this must always be done in an enclosed area in order to prevent live animals from escaping.*

Animals in quarantine must be segregated from those which are not.

CHAPTER 10— HANDLING PROCEDURES

10.1 ACCEPTANCE OF LIVE ANIMALS

Carriers must only accept animals which appear to be in good health and condition and check that the provisions within these Regulations have been complied with by the shipper. Where the welfare of animals traveling in sealed containers, e.g., ornamental fish and other aquatic species requiring total immersion in water to support life, would be compromised by direct visual inspection of the inner containers involving the opening at the opening of the outer containers at the time of acceptance, carriers are only responsible for ensuring that the outer container meets the relevant provisions of the appropriate Container Requirements.

Special attention must be paid to the following points:

- Documentation including Shippers Certification and documents required at destination;
- Containers conform to the principles of design;
- Marking and labeling;
- Reservation and routing.

Note: States may require the physical inspection of the contents of shipments tendered by shippers meeting a specific state mandated criteria as determined by the transporting carrier.

10.1.1 Live Animal Acceptance Check List

To assist shippers, agents and airlines to prepare shipments for air carriage, the IATA Live Animals Board has developed a basic "Live Animals Acceptance Checklist". In addition to checking the actual consignment, it is recommended that those involved with line animal shipments, also ensure that governmental, and other control agencies requirements have been complied with.

The person checking the consignment must tick each answer with a "Yes" or "No" as applicable. If the answer to any question is "No" it is an indication that the consignment does not comply with the IATA Live Animals Regulations. The assignment must not be accepted for carriage and a duplicate copy of the completed list must be given to the shipper.

10.2 GROUND HANDLING OF ANIMAL SHIPMENTS

The welfare of animals when under the care of ground handling personnel is of paramount importance. Animal shipments must only be handled by appropriate competent staff.

Disturbance of animal shipments must be minimal. Unauthorized persons and staff must be prohibited from approaching or disturbing animals.

Animals must be provided with adequate ventilation but must be protected from inclement weather conditions such as excessive sunlight, noise and drafts.

Unnecessary tilting, tipping and movement of the shipment must be avoided.

Food and water must only be provided in accordance with the shipper's instructions. For unforeseen situations reference is made to the individual container requirements.

For sedation see 5.4 of these Regulations.

Appropriate arrangements must be made for removal and disposal of sick or dead animals.

Depending on the type and quantity of animals as well as on the outside weather conditions, compartment doors must be kept open during transit stops or, if necessary, air conditioning units used at loading and transit stations and connected immediately upon arrival at destination. For aircraft with Auxiliary Power Units (APUs), the doors must be kept closed providing hold ventilation is switched on.

For full aircraft loads of live animals, air conditioning units must be used at loading and transit, and be connected immediately upon arrival at destination, in addition to all the doors being open to maximize through ventilation.

In case of extended delays, rerouting of flight cancellations, the shipper or the consignee must be notified as soon as possible.

After off-loading the containers, the aircraft holds must be inspected and cleaned in case of leakage or spillage.

Animal holding areas must be cleaned in a similar manner to that prescribed for the cleaning and disinfection of aircraft cargo compartments.

10.3 LOADING PROCEDURES

10.3.1 General Loading Procedures

Live animals must only be loaded into suitable aircraft compartments authorized by the carrier. They must not be packed inside a closed Unit Load Device (ULD) with the exception of fish. Live animal containers must always be inspected prior to landing.

Avoid unnecessary tilting and jolting of containers. Animal containers must be handled and stowed in the upright and level position.

Animals must be loaded as near to the time of the aircraft's departure as possible. It is recommended that lateral ramps be used whenever necessary. They must never be left standing unnecessarily in the open, nor on standing aircraft when the departure is delayed.

It is recommended that live animal shipments be located in such a way that they will not immediately be affected by local temperatures when the cargo compartment doors are opened. Live animals must not be loaded directly onto the floor of the aircraft but must be placed on spreader boards to stop the transfer of cold from the airframe to the containers. The containers must also not be loaded directly in front of or below air ventilation outlets. So that there is sufficient air for normal breathing, the ventilation apertures must not be blocked by other loads, compartment or ULD walls.

Depending on the nature of the animals, containers must not be loaded on top of or underneath other load.

Precautions must be taken to prevent other load from shifting and falling or leaning onto the animal container. To avoid any movement of the animal container, especially for live stock containers, it may be necessary to tie it down.

When special care for the animal is required, e.g. during transit stops or in case of in-flight attention, the containers must be accessible.

Most live animal shipments must be treated as wet cargo. Therefore plastic sheeting or tarpaulin must be placed under live animal containers in order to avoid soiling of aircraft holds, ULDs and other load.

Ensure facilities and necessary equipment are available to unload the animal(s) at destination.

10.3.2 Particular Loading Requirements for Certain Species

For carriage of birds on long-haul flights, the cargo compartment lights must be left switched on to enable the birds to feed during flight.

Animals which are natural enemies, e.g. cats and dogs, may be loaded in the same hold providing they are not in sight of one another.

Shipments of laboratory animals labeled "Laboratory Animals" must be loaded apart from other animals to reduce the risk of cross-infection or contamination.

10.3.3 Loading of Live Animals with Foodstuffs

Live animals must not be loaded in close proximity of foodstuffs, if not hermetically sealed.

10.3.4 Loading of Live Animals with Dangerous Goods

Live animals must not be loaded in close proximity of dry ice or shipments packed in dry ice. As the vapors emitted by dry ice are heavier than air, they concentrate on the lower level of the hold. Therefore, live animals must be stowed above the upper level of packages containing dry ice.

Live animals must not be loaded in close proximity of cryogenic liquids, such as liquid argon and nitrogen.

Live animals must not be stowed in the same compartment as poisonous and infectious substances. This does not apply if the animals and the poisonous or infectious substances are loaded into different ULDs which are not adjacent to each other when stowed on the aircraft.

When live animals are loaded with packages, overpacks or freight containers bearing the radioactive levels of Categories II-Yellow or III-Yellow, the following separation distances must be maintained:

0.5 m (19.5 in) or more for journeys of 24 hours or less; and
1.0 m (39 in) or more for journeys of more than 24 hours.

Note: For radioactive material bearing the Category I-White label, separation is not considered necessary.

10.5 FEEDING AND WATERING

Do not allow tidbits to be given to animals. Incorrect food can be dangerous to the animal.

Generally, it is not necessary to feed or water an animal in transit though certain species may need water depending on climatic conditions and total journey time. If this is required in transit, it is the shipper's responsibility to make advance arrangements for feeding and watering. *The shipper must confirm these arrangements in writing at the time the shipment is rendered to the carrier.* Any water provided must be fresh and uncontaminated, preferably suitable for human consumption and must not be iced. Any packets of spare food provided by the shipper must be attached to the container. Food and water troughs must be fitted with outside fillers. Do not allow tidbits to be given to animals; wrong feeding can be dangerous. When food for the animal is provided, it must be established that the food does not contravene the import regulations of the country, or countries of transit and importation.

Feeding and watering instructions must be affixed to the container or to each container if more than one in the shipment. A copy of the instructions must accompany the shipping documents. Any feed or water given must be recorded on the container instructions with the date and time of supply.

10.6 ADVICE TO CAPTAIN

The Captain must be advised of the species, location and quantity of all live cargo on board the aircraft, in accordance with the IATA Airport Handling Manual (AHM 316 and AHM 352).

The flight crew must be notified on the form "Special Load – Notification to Captain" of any live animal load and of the required actions (i.e. hold temperature or ventilation).

10.7 HEALTH AND HYGIENE

10.7.1 Health and Hygiene (Animals)

Animal consignments must not be stowed in close proximity to foodstuffs during any stage of the journey because of serious risk of contamination.

When feasible, arrange for animals injured or having become apparently ill during carriage to receive veterinary treatment.

When feasible, arrangements must be made to remove or separate sick or dead animals from cages carrying multiple animals in transit. Such action must only be taken in consultation with the most expert advice available. Certain national authorities impose regulations which cover the examination and disposal of animals which have died during transit.

Rooms or areas at airports in which animals are held must be disinfected every 24 hours if used for regular accommodation of animals. Guidance must be sought as to the most suitable disinfectants and insecticides available locally for this purpose to avoid any risk of harming the animals. Animals must not be held in this area during cleaning processes.

10.7.2 Health and Hygiene (Personnel)

All animals including domestic pets are capable of transmitting a variety of diseases to humans, some more than others, consequently, physical contact with the animals must be avoided and strict personal hygiene rules must be observed. Staff who regularly handle animals should seek the advice of their physician for appropriate immunization.

The following are more specific health and hygiene measures to be adopted for the protection of personnel whose work brings them into contact with animal consignments:

wear washable or disposable, impervious gauntlets to handle all live animal consignments. Wash both gauntlets and hands in germicidal soap after handling animal consignments;

handlers of psittacine birds and monkeys must wear face masks and gloves whenever possible and the containers of such animals must carry a warning to this effect, or alternatively, cover the ventilation openings of the container with muslin or other light weight material, that does not occlude ventilation, to prevent possible inhaling of infectious droplets by handlers;

report to a doctor as soon as possible after being bitten or scratched by an animal providing information on the species and origin of the animal. If delay is inevitable before obtaining skilled medical attention, ensure that the wound is thoroughly washed with soap and water and covered with a dry dressing until medical attention can be obtained;

avoid contaminating skin or clothing with blood or excreta of animals. Contaminated clothing must be changed and sent for cleaning. Skin contamination must be cleansed using a germicidal soap;

airline staff who are frequently involved with animal or bird handling must be immunized against those diseases which are transmissible to humans whenever the medical authorities so advise.

10.7.3 Cleaning and Disinfection of Aircraft Cargo Compartments (After Animal Transportation)

If there is any spillage, carrier maintenance personnel must be alerted.

Wear impervious, washable or disposable, gloves and boots which must be washed, then disinfected or destroyed after each use.

The interior of all aircraft must be thoroughly cleaned of all foreign matter and then disinfected using methods acceptable to aircraft management before being loaded with livestock.

All affected holds, floors and shelves must be thoroughly washed or swabbed with a solution of approved solvent or detergent followed by the use of a suitable disinfectant. It is recommended that a solution with 4% sodium carbonate mixed with 0.1% sodium silicate or a solution with 0.2% citric acid be used for aircraft disinfection purposes. It is not necessary to flood the surfaces to effectively deodorize and disinfect area.

Spray the hold with an approved deodorant, closing all doors immediately after spraying to obtain maximum benefit.

All removable equipment, penning and containers, including loading ramps, must be thoroughly cleaned and disinfected in accordance with the requirements of both the exporting and importing countries.

It is advised that no equipment with which animals will come into direct contact be replaced in the aircraft until it has been washed with clean water after disinfection to remove any traces of disinfectant which might cause damage to the aircraft structures.

10.7.4 Cleaning of Animal Holding Areas

Animal holding areas must be cleaned in a similar manner to that prescribed for the cleaning and disinfection of aircraft cargo compartments.

C. Public Law 106-181 *The Wendell H. Ford Aviation Investment and Reform Act of the 21st Century*

Section 710 of Public Law 106-181, the Wendell H. Ford Aviation Investment and Reform Act for the Twenty-First Century, added Section 41721 to Chapter 417 of Title 49 U.S.C.

The bill language states:

Sec. 710. Reports by carriers on incidents involving animals during air transport.

(a) In General: Subchapter I of chapter 417 (as amended by section 231(b) of this Act) is further amended by adding at the end the following:

“41721. Reports by carriers on incidents involving animals during air transport

(a) In General: An air carrier that provides scheduled passenger air transportation shall submit monthly to the Secretary a report on any incidents involving the loss, injury, or death of an animal (as defined by the Secretary of Transportation) during air transport provided by the air carrier. The report shall be in such form and contain such information as the Secretary determines appropriate.

(b) Training of Air Carrier Employees: The Secretary shall work with air carriers to improve the training of employees with respect to the air transport of animals and the notification of passengers of the conditions under which the air transport of animals is conducted.

(c) Sharing of Information: The Secretary and the Secretary of Agriculture shall enter into a memorandum of understanding to ensure the sharing of information that the Secretary received under subsection (a) listed above.

(d) Publication of Data: the Secretary shall publish data on incidents and complaints involving the loss, injury, or death of an animal during air transport in a manner comparable to other consumer complaint and incident data.

(e) Air Transport: For the purposes of this section, the air transport of an animal includes the entire period during which the animal is in the custody of an air carrier, from check-in of the animal prior to departure until the animal is returned to the owner or guardian of the animal at final destination of the animal.”

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